

New law provides for the release of certain identifying information to private attorneys from the Dept. of Social Services, office of family support (OFS), regarding an obligor who is in arrears in the payment of child support without the necessity of a court order.

New law states that when a private attorney receives certification from OFS that an obligor is in arrears in the payment of child support for more than six months or has been an absentee for more than six months, the attorney may apply to the district court where the order is being enforced for an ex parte order on a motion to determine that the obligor is in arrears or is an absentee.

Under new law, if the court finds that the obligor is in arrears or has been an absentee, the court may authorize OFS to enter into cooperative endeavors with a private attorney retained by the obligee for the purpose of collecting unpaid child support.

New law provides that pursuant to a cooperative endeavor, OFS shall provide to a private attorney retained by the obligee any of the following information which it may have regarding the obligor: (1) Social security number, (2) address, (3) driver's license number, (4) information from hunting licenses, (5) tax records, (6) information from professional licenses, (7) any other information which OFS reasonably believes will assist in the collection of child support, and (8) information received from other states through intrastate registration of support orders.

New law provides that nothing in new law authorizes DSS or the office of support enforcement services to contract with any private attorney for the collection of child support or the provision of IV-D services, nor does new law authorize a district attorney providing child support services to the Department of Social Services to release information to a private attorney.

Effective August 15, 1999.

(Adds R.S. 46:237)